



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

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Attorneys for Secured Creditor
VW Credit Inc. dba Audi Financial Services

In Re:

Derek J. Leary, Michelle L. Leary,
Debtors

**Order Filed on March 7, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey**

Case No.: 17-33417 ABA
Adv. No.:
Hearing Date 1/10/18 @ 9:00 a.m.

Judge: Andrew B. Altenburg, Jr.

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: March 7, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Page 2

Debtors:

Derek J. Leary, Michelle L. Leary

Case No.:

17-33417 ABA

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor VW Credit Inc. dba Audi Financial Services., holder of a mortgage on real property of 2016 Audi Q5 2.0t Prm Awd , VIN: WA1L2AFP5GA093548, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Terry Tucker, Esquire, attorney for Debtor, MaryAnn D. Mason, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtor shall have the vehicle paid off in full in plan; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall pay the arrearage claim of Secured Creditor in full, \$41,770.28 to be paid at 4.49% over 60 months, interest of \$4,941.77 for a total of \$46,712.05 per the amended claim filed on 2/2/2018) through the Chapter 13 plan; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall pay the arrearage claim of Secured Creditor in full, when filed (estimated to be \$11,781.29) through the Chapter 13 plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor reserve her right to object to Secured Creditor's proof of claim; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Derek J Leary
Michelle L Leary
Debtors

Case No. 17-33417-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 07, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 09, 2018.

db/jdb +Derek J Leary, Michelle L Leary, 38 Tomasello Dr, Millville, NJ 08332-9423

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 09, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2018 at the address(es) listed below:

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Ally Capital ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Karen B. Olson on behalf of Creditor HMC Assets LLC kbo@kkmllp.com, nmm@kkmllp.com
Michael R. DuPont on behalf of Creditor Members 1st of NJ Federal Credit Union dupont@redbanklaw.com, dana@redbanklaw.com
R. A. Lebron on behalf of Creditor FULTON BANK OF NEW JERSEY bankruptcy@feinsuch.com
Rebecca Ann Solarz on behalf of Creditor VW Credit Inc. dba Audi Financial Services rsolarz@kmillawgroup.com
Richard James Tracy, III on behalf of Creditor TD Auto Finance LLC rtracy@schillerknapp.com, tshariff@schillerknapp.com;kcollins@schillerknapp.com
Terry Tucker on behalf of Joint Debtor Michelle L Leary terrytucker@comcast.net
Terry Tucker on behalf of Debtor Derek J Leary terrytucker@comcast.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11